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6 SUNPOWER CORPORATION,
7 THOMAS H. WERNER, DENNIS V. ARRIOLA,
EMMANUEL T. HERNANDEZ, AND
MARTY T. NEESE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HARRY W. PLICHTA, Individually and on
Behalf of All Others Similarly Situated.

Case No.: CV-09-05473 CRB

13 Plaintiff,

14 v.

15 SUNPOWER CORPORATION,
THOMAS H. WERNER, and DENNIS V.
16 ARRIOLA,

Defendants.

18 STEVEN PARRISH, Individually and on
19 Behalf of All Others Similarly Situated,

Case No.: CV-09-05520 CRB
CLASS ACTION

20 Plaintiff,

21 v.

22 SUNPOWER CORPORATION,
23 THOMAS H. WERNER, and DENNIS V.
ARRIOLA,

Defendants.

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STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT
sf-2778316

1 CHENGXIAO CAO, Individually and On
2 Behalf of All Others Similarly Situated,

3 Plaintiff,
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5 v.
6 SUNPOWER CORPORATION,
7 PRICEWATERHOUSECOOPERS LLP,
8 THOMAS H. WERNER, DENNIS V.
9 ARRIOLA, EMMANUEL T. HERNANDEZ,
10 and MARTY T. NEESE,

11 Defendants.

Case No.: CV-09-05488 BZ

CLASS ACTION

10 **STIPULATION AND [PROPOSED] ORDER EXTENDING TIME
11 TO RESPOND TO COMPLAINT**

12 WHEREAS, the above-captioned actions are securities class action lawsuits, governed by
13 the Private Securities Litigation Reform Act of 1995, against SunPower Corporation (“SunPower”),
14 certain of its officers, and PricewaterhouseCoopers LLP (collectively “Defendants”);

15 WHEREAS, these three actions are related cases within the meaning of Northern District of
16 California Civil Local Rule 3-12;

17 WHEREAS, the parties expect the actions will be consolidated pursuant to Federal Rule of
18 Civil Procedure 42(a);

19 WHEREAS, the Court is expected to designate a Lead Plaintiff, who shall designate a law
20 firm or law firms to serve as Lead Plaintiff’s counsel pursuant to 15 U.S.C. § 77aa(a)(3)(B)(v)
21 and/or 5 U.S.C. § 78u-4(a)(3)(B)(v);

22 WHEREAS, the designated Lead Plaintiff will file a Consolidated Complaint for the
23 consolidated action, which will become the operative complaint and shall supersede all complaints
24 previously filed in these actions;

25 WHEREAS, it would be duplicative and a waste of judicial resources for Defendants to
26 respond to the individual complaints previously filed in these actions before Lead Plaintiff files a
27 Consolidated Complaint.

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STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT

sf-2778316

1 IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as follows:

2 1. Defendants' undersigned counsel hereby accept service of the Complaints filed herein
3 on behalf of Defendants;

4 2. Defendants shall not be required to answer or otherwise respond to the individual
5 complaints previously filed in these actions;

6 3. Defendants shall answer or otherwise respond to a Consolidated Complaint after
7 meeting and conferring with Lead Plaintiff regarding scheduling, or as ordered by the Court.

8 SO STIPULATED.

9 Dated: December 17, 2009

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14 By: _____ /s/ Jordan Eth _____
JORDAN ETH

15 Counsel for Defendants SunPower Corp.,
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16 Emmanuel T. Hernandez and Marty T. Neese

17 LATHAM & WATKINS LLP
18 MATTHEW RAWLINSON
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Menlo Park, CA 94025

20 By: _____ /s/ Matthew Rawlinson _____
21 MATTHEW RAWLINSON

22 Counsel for Defendant
23 PricewaterhouseCoopers LLP

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27 STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT

28 sf-2778316

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31 Counsel for Plaintiff Chengxiao Cao

32 ///

33 ///

34 STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Date:

DEC 22 2009

UNITED STATES DISTRICT JUDGE